

**Amendments to the claims**

Claims 1-20 (canceled)

Claim 21 (original): A method for making a semiconductor device comprising:

forming on a substrate a dielectric layer that has a dielectric constant that is greater than the dielectric constant of silicon dioxide;

forming a sacrificial layer on the dielectric layer;

removing the sacrificial layer; and then

forming a gate electrode on the dielectric layer.

Claims 22-37 (canceled)

Claim 38 (original): The method of claim 21 wherein the gate electrode is formed directly on the dielectric layer.

**CERTIFICATE OF TRANSMISSION**

(37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office on April 7, 2004.

Mark Seeley  
Name of Person Sending Facsimile

Mark Seeley  
Signature